

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:14-CR-00059-KDB-DCK-1

USA

v.

JUSTO MANUEL GONZALEZ

)
)
)
)
)
)

ORDER

THIS MATTER is before the Court on the defendant's *pro se* motion requesting a sentence reduction pursuant to Amendment 782 to the Sentencing Guidelines (Doc. No. 70).

Defendant pled guilty on December 29, 2014, to conspiracy to distribute and to possess with intent to distribute cocaine and methamphetamine 21 U.S.C. §§ 846 and 841(b)(1)(A). At sentencing on November 30, 2015, the Court determined the base offense level of 36, based on defendant being accountable for 15 kilograms of methamphetamine and 150 kilograms of cocaine. The total offense level, however, was 41 pursuant to various adjustments for possession of a dangerous weapon, knowing drugs were imported and being a leader in the criminal activity. (Doc. No. 36 at 7, 8). This produced a guidelines range of 360 months to life. (Doc. No. 42 at 1). The Court imposed a sentence of 210 months' imprisonment based on the government's motion for departure and joint motion by both parties. (Doc. Nos. 41, 42).

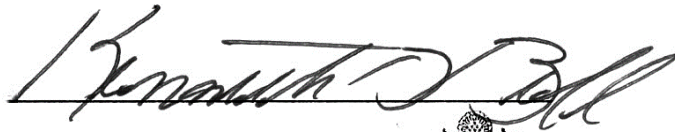
Amendment 782 is not applicable to this case because Amendment 782 became effective on November 1, 2014 and was considered in defendant's sentencing

which was held on November 30, 2015, a full year after Amendment 782 went into effect.

IT IS, THEREFORE, ORDERED that the defendant's motion (Doc. No. 70) is **DENIED**.

SO ORDERED.

Signed: January 31, 2022

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

